

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

AMY SATTERFIELD and JERROD
SATTERFIELD,

Plaintiffs,

v.

MIDWAY EXPRESS, LTD.,

Defendant.

Civil Action
File No. SC2022CV000891

NOTICE OF REMOVAL

COMES NOW Defendant Midway Express, Ltd. (“Defendant”), and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, files its Notice of Removal, showing the Court as follows:

1.

On July 8, 2022, Plaintiffs Amy Satterfield and Jerrod Satterfield (“Plaintiffs”) filed suit against Defendant in the State Court of Muscogee County, Civil Action File Number SC2022CV000891 (“State Action”), which county is embraced by Columbus Division of this Court. See, 28 U.S.C. § 90(a)(2).

2.

Defendant Midway Express, Ltd. (“Midway”) was served with process on July 18, 2022.

3.

Defendant attaches hereto as Exhibit “A”, a copy of the State Action complaint, and all discovery served therewith.

4.

Plaintiffs are residents of the State of Georgia. See Georgia Motor Vehicle Crash Report No.: 03-061-2021 (March 12, 2021), attached and incorporated hereto as Exhibit “B”.

5.

At the time Plaintiff filed the State Action, Midway was, and remains, a corporation created and incorporated under the laws of the Canada, in the Province of British Columbia, with its principle place of business located at 801 Front Street, Nelson, British Columbia, Canada V11 4B8.

6.

Defendant gave written notice of the this Notice of Removal to Plaintiffs by notifying their counsel of record, Briant G. Mildenhall, Fried Goldberg, LLC, Three Alliance Center, 3550 Lenox Road, NE, Suite 1500, Atlanta, Georgia 30326. Defendant also filed a written notice with the Clerk of the State Court of Muscogee County, a copy of which is attached hereto as Exhibit “C”.

7.

Defendant shows that the amount in controversy requirement of 28 U.S.C. § 1332(a) is met in this case. Plaintiffs' claims are for personal injuries and loss of consortium arising out of a motor vehicle collision that occurred on March 12, 2021. Ex. A at ¶¶ 19-30. Plaintiff Amy Satterfield seeks recovery for medical expenses as a result of the collision, lost income, pain and suffering, and other consequential damages as a proximate result of the collision. Ex. A at ¶¶ 56-59. Plaintiff Jarod Satterfield seeks recovery for loss of consortium. Ex. A at ¶ 60.

8.

Upon information and belief, Plaintiff Satterfield has incurred approximately \$250,000 to \$300,000 in medical special damages for the treatment of injuries arising out of the collision that forms the basis for Plaintiffs' claims.

9.

To the best of the undersigned's knowledge, information, and belief, and after reasonable inquiry, this Notice of Removal is well grounded in fact and is warranted by existing law, and has not been interposed for any improper purpose, such as to harass, cause unnecessary delay, or a needless increase in the cost of litigation.

WHEREFORE Defendant prays the case be removed to the United States District Court for the Middle District of Georgia, Columbus Division.

This 16th day of August, 2022.

/s/ Stephen J. Cohen _____

STEPHEN J. COHEN

Georgia State Bar No. 556599

JESSICA F. HUBBARTT

Georgia State Bar No.: 932295

*Counsel for Defendant Midway Express,
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been e-filed and served today upon all counsel of record as follows:

Briant G. Mildenhall
FRIED GOLDBERG LLC
3550 Lenox Road, NE, Suite 1500
Atlanta, GA 30326-4302
bmildenhall@friedgoldberg.com

This 16th day of August, 2022.

/s/ Stephen J. Cohen
STEPHEN J. COHEN
Georgia State Bar No. 556599
Counsel for Defendant Midway Express, Ltd.
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